IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.15290 of 2008
BABLOO LAL DEO
Versus
THE STATE OF BIHAR

Cr.Misc. No.15517 of 2008 ARBIND LAL DEO
Versus
STATE OF BIHAR

2 12-05-2008 Heard learned counsel for the petitioners and also learned APP on behalf of the State.

The petitioners are accused in a case u/ss 302, 323 and other sections of the Indian Penal Code.

The allegation against the petitioner Babloo Lal Deo is that he fired from his pistol at Mahesh Yadav as a result of which he sustained injuries in the left armpit and died.

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It has been submitted that petitioners have falsely implicated in this case on account of previous enmity. At the place of occurrence not a single drop of blood was found.

So far as petitioner Arbind Lal Deo is concerned, there is no specific allegation against him. It appears that he was simply a member of mob. Learned counsel submitted that similarly situated accused Rajeshwar Lal Deo has been allowed bail by this court. Petitioner Arvind Lal Deo appears to be in custody since 12.10.07.

Petitioner Babloo Lal Deo is main assailant of the deceased.

In the facts and circumstances of the case, this court, at this stage, is not inclined to release petitioner Babloo Lal Deo on bail. The prayer is refused. The court below is directed to expedite the trial of petitioner Babloo Lal Deo.

The other petitioner, namely, Arbind Lal Deo is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in Bahadurpur PS case no. 144/06.

BKS/ **(M. Saran,J.)**

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